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**DEPARTMENT OF STATE**

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DIVISION OF PROFESSIONAL REGULATION

<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Electrical Examiners Workshop</b>
<b>MEETING DATE AND TIME:</b>	<b>Wednesday, March 7, 2012 at 11:00 a.m.</b>
<b>PLACE:</b>	<b>PSC Hearing Room, first floor Cannon Building 861 Silver Lake Boulevard, Dover, DE 19904</b>
<b>MINUTES APPROVED:</b>	<b>April 4, 2012</b>

**MEMBERS PRESENT**

Robert MacLennan, Professional Member, President  
Daniel Creedon, Professional Member, Vice-President  
Bobby Murrian, Professional Member  
Richard Millar, Public Member  
Thomas Felton, Professional Member, Complaints Officer  
Nathan Schreppler, Public Member, Secretary  
Jack King, Professional member, Continuing Education Officer  
Frank Beebe, Public Member

**MEMBERS ABSENT**

There were no members absent.

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

James Collins, Director  
Kay Warren, Deputy Director  
Danny Stevenson, Deputy Attorney General  
Jennifer Witte, Administrative Specialist II

**OTHERS PRESENT**

Doug Drummond  
Dale Davis  
Leroy James  
Jack Koch  
Joe Williams  
Ed Krull  
David Potter  
Jeremy McEntire  
Carl Jones  
Dale Derrickson  
Walter Brittingham  
Bobby Tudor  
Robert Tudor  
Don DiSharoon

Louis Travalini  
George West  
Richard Arndt  
George Brewington III  
Ed Capodanno  
Cheryl Heiks  
John Gooden  
Guy Hudson  
James Timmons, Jr.  
Michael McFann  
L. Gene McFann  
Ken Adams  
Kathleen Kriss  
Denise Kriss  
Lawrence Little  
Brad Derby  
Anthony Abbate  
Keith Eaves  
James Timmons, Sr.  
Betsy Jones  
Tad Jones  
Nick Sebastian  
John Souder  
Bernard Tudor  
Frank Tyler

### **CALL TO ORDER**

Mr. MacLennan called the meeting to order at 11:00 a.m.

### **REVIEW OF MINUTES**

A motion was made by Mr. Creedon, seconded by Mr. King, to approve the minutes from the February 1, 2012 meeting. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

The Board continued discussing what items will need to be addressed to support the new Bill.

Due to the numerous amount of public attendance, the agenda was amended to take the Public Comment first.

### **PUBLIC COMMENT**

There was a letter that was hand delivered to the Board's Liaison prior to the start of the Board meeting from the Sussex County Electrical Contractors Association to the attention of Mr. Collins addressing their concerns regarding the licensing requirements enacted by HB180 and the proposed rules and regulations.

Mr. MacLennan started the Workshop by asking that all members of the public sign the attendance sheet that was circulating.

Mr. MacLennan stated that the objective of the Board and the intent of HB180 is to protect the public. The Bill is not to force an HVAC professional to become an electrician or an electrician to become an HVAC professional, and added that the Bill has been approved and signed and the Board is holding these workshops to set the rules and regulations that will support this Bill. The Board began reviewing the draft rules and regulations.

In regards to the definition of “electrical services” or “electrical work,” the Board discussed adding the exemption of a 91 volt ceiling and reviewing the California statute title 16, chapter 8, article 3 for “classifications.” In addition, the Board is awaiting feedback from the Delaware Fire marshal regarding fire alarms.

Dave Gordon addressed the Board as to why they were eliminating low voltage from the definition of electrical services.

Mr. MacLennan stated that Delaware does not issue a low voltage license.

There were several public questions in regards to the rules and regulations that are currently in place and Mr. Stevenson advised that the purpose of these workshops is to work on the rules and regulations to support the new legislation.

Dave Gordon addressed the Board again and stated that he has been doing electrical work for 42 years and has never seen a Bill similar to this nor does he see the need for a Bill like HB180. He added that the Board is putting themselves out for lawsuits on discrimination and demanded to know how this Bill was allowed to go through.

Mr. Stevenson stated that the Board did not pass this Bill, it was passed through by the Legislators.

Representative Mulrooney advised that he submitted this Bill and he had met with Mr. Capadanno and Doug Drummond and verified that everyone was on board with this Bill, the Bill was drafted, signed by the Committee, and there was an advertised Public Hearing.

Mr. Capodanno stated that ABC met with Mr. Mulrooney and they laid out their concerns with this Bill and testified at the Public Hearing and asked that the process be delayed as to not rush into putting it through.

Representative Mulrooney stated that he advised that the Bill will go through and that the issues would be addressed as they arose.

Ken Adams stated that he spoke with Mr. Mulrooney the day the Bill passed and he advised him that he was opposed to this Bill as there were no rules and regulations in place to support it and he proposed that it should be extended out a year to allow it to settle and the rules be set and the decision to be made as to how to enforce them.

Mr. MacLennan stated that the Division of Professional Regulation has not given any indication that an extension is needed at this time.

Representative Mulrooney added to Mr. MacLennan’s statement that he is not opposed to an extension however it would not be for a year but rather 2 to 3 months.

James Collins, Director of the Division of Professional Regulation, spoke with the Board, ABC, and Representative Mulrooney and stated that there was an obligation to implement the Bill and if an extension is needed then it will be extended.

Mr. Collins added that the State sets out the Law and the Board adjusts the rules and regulations and the purpose of these workshops is to determine what in the statute needs to be clarified in those rules and regulations.

Doug Drummond, IBEW, stated that when this Bill started it was twice the size that it is now and he attended both of the hearings at Legislative Hall regarding this Bill. He added that Mr. Collins summed it up in that the Bill is done and that all of the electrical licensees were sent a notification of the new legislation. He also stated that there were about 750 people in the IBEW that will be submitting their applications to comply with this new Bill.

Cheryl Heiks stated that the Board should look at the California statute as a guide on defining electrical services in the rules and regulations and referred them to title 16, chapter 8, article 3 under "classifications."

Mr. Brittingham stated that when he spoke with the Department of Labor he was advised that June was the only month a person can apply for an apprenticeship.

Mr. King stated that he was the coordinator for the New Castle Apprentice Program and verified that a person can enroll at any time. He added that if that person does not have a sponser they can pay for themselves. Mr. King also stated that there is no test and no waiting and that although the classes do not start until September a person can enroll now.

Mr. Collins suggested that the Board President close the Public Comment.

Mr. MacLennan stated that Public Comment part of the Workshop is closed.

## **NEW BUSINESS**

The Board began going through the draft rules and regulations.

Rob Smith stated that, from an inspectors' perspective, there is some concern of the people who are installing fire alarms and if they will need a license to be able to call for an inspection.

Mr. MacLennan stated that at this time he cannot comment on this as he is waiting on clarification from the Fire Marshall's office.

Mr. Tutor asked how the new Bill will affect the maintenance personnel.

Mr. Stevenson referred Mr. Tutor to 10.1.4 and 12.1 of the Rules and Regulations.

After discussion, the Board will add roadway lighting to 10.1.2 of the rules and regulations.

The Board will add to 12.1 of the rules and regulations specific wording stating that Journeypersons and Apprentices cannot file an application for an inspection by a licensed inspection agency.

## **NEXT SCHEDULED MEETING**

The next scheduled Workshop will be on April 4, 2012 at 10:30 a.m. in the PSC Hearing Room, first floor of the Cannon Bldg. 861 Silver Lake Blvd. Dover DE.

### **ADJOURNMENT**

There being no further business, a motion was made by Mr. Beebe, seconded by Mr. King, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 12:57 p.m.

Respectfully submitted,

Jennifer Witte  
Administrative Specialist II